



SECURITIES INVESTOR PROTECTION CORPORATION
805 FIFTEENTH STREET, N.W., SUITE 800
WASHINGTON, D. C. 20005-2215
(202) 371-8300 FAX (202) 371-6728
WWW.SIPC.ORG

OFFICE OF THE GENERAL COUNSEL

March 15, 2013

Honorable Burton R. Lifland
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004-1408

Re: Securities Investor Protection Corp. v. Bernard L. Madoff Investment Securities LLC,
Adv. Pro. No. 08-01789 (BRL)

Dear Judge Lifland:

The Securities Investor Protection Corporation ("SIPC") submits this response in opposition to the letter dated March 8, 2013, filed by Steven Surabian, Richard Surabian, and on behalf of Martin M. Surabian (collectively, the "Surabians"). [ECF No. 5267.] In that letter, the Surabians ask this Court to strike SIPC's Opposition to the Surabians' Motion to File Late Objection to Expungement Motion, Motion to Vacate Expungement Order, and Motion to Subpoena Madoff [ECF No. 5244] on the basis that SIPC's Opposition was untimely (the "Request to Strike").

SIPC hereby joins the letter opposition filed by Irving H. Picard, as trustee for the substantively consolidated liquidation proceedings of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the estate of Bernard L. Madoff, on March 14, 2013 [ECF No. 5277]. For the reasons stated therein, SIPC respectfully requests that this Court deny the Request to Strike.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Nathanael S. Kelley". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Nathanael S. Kelley
Staff Attorney

cc: Mr. Steven Surabian
Mr. Richard Surabian
David J. Sheehan, Esq.
Kevin H. Bell, Esq.